

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	Case No. 1:12-cr-115-1
v.)	
)	Judge Mattice
IZAAC COFFELT)	Magistrate Judge Lee

ORDER

On February 25, 2013, Defendant Izaac Coffelt filed his Motion to Suppress (Doc. 53), which was referred to Magistrate Judge Susan K. Lee (Doc. 55). Magistrate Judge Lee held an evidentiary hearing on Defendant's Motion to Suppress and issued her Report and Recommendation (Doc. 74) ("R&R"), in which she recommended that Defendant's Motion be denied. Defendant timely filed objections to Magistrate Judge Lee's R&R (Doc. 75), and the Government has now responded to his objections (Doc. 80).

The Court has now reviewed the entire record pertinent to the instant objections, and for the reasons described below, the Court will **OVERRULE** Defendant's Objections to the R&R, will **ACCEPT and ADOPT** Magistrate Judge Lee's R&R, and will **DENY** Defendant's Motion to Suppress.

I. STANDARD OF REVIEW

The Court must conduct a *de novo* review of those portions of the Report and Recommendation to which objection is made and may accept, reject, or modify, in whole or in part, the Magistrate Judge's findings or recommendations. 28 U.S.C. § 636(b)(1)(C). The Court may also receive further evidence or recommit the matter to the magistrate judge with instructions. *Id.*

II. FACTS AND ANALYSIS

Magistrate Judge Lee held an evidentiary hearing on Defendant's Motion to Suppress on March 14, 2013. Defendant did not present any witnesses at the hearing. In her R&R, Magistrate Judge Lee recounted at some length the facts developed at the evidentiary hearing, and noted that "the relevant material facts do not appear to be in dispute." (Doc. 74 at 2-5.). Defendant has not objected to the basic facts as outlined in Magistrate Judge Lee's R&R. After reviewing the record, and finding the facts to be consistent with Judge Lee's R&R, the Court **ADOPTS BY REFERENCE** the facts as set out in Magistrate Judge Lee's R&R. (Doc. 74 at 2-5).

Defendant's objections instead focus on Magistrate Judge Lee's findings and the legal conclusions as they relate to those facts. Defendant's objections specifically reiterate the arguments initially raised in his Motion to Suppress, namely: (1) exigent circumstances justified the officers' warrantless entry of Defendant's home; (2) the traffic stop was supported by probable cause; and (3) Defendant failed to demonstrate missing segments of a video recording of his arrest violated his due process rights because he did not show that the police lost or destroyed the recording in bad faith.

The Court's *de novo* review results in the same conclusion reached by Magistrate Judge Lee and further discussion of these issues is not warranted, given the thorough and well-reasoned conclusions set forth in the Report and Recommendation. Defendant's objections to Magistrate Judge Lee's R&R will thus be **OVERRULED**.

III. CONCLUSION

For the reasons explained above, the Court **ORDERS** the following: (1) Defendant's Objections (Doc. 75) are **OVERRULED**; (2) Magistrate Judge Lee's R&R

(Doc. 74) is **ACCEPTED and ADOPTED**; and (3) Defendant's Motion to Suppress (Doc. 53) is **DENIED**.

SO ORDERED this 1st day of May, 2013.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE